

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) – SMALL BUSINESS CONCERN
(FORM PTO/SB/10)**

Applicant(s) or Patentee(s): Michael K. Makuch and Neil Webber
Assignee(s): Vignette Corporation
Serial or Patent No.: Unknown
Filed or Issued:
Title: CUSTOMIZATION AND CACHING OF GENERATED
PERSONALIZED CONTENT

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Vignette Corporation
Address of Small Business Concern: 3410 Far West Boulevard, Suite 300
Austin, Texas 78731

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year, and (2) concerns are affiliates of each other when either, directly, or indirectly, once concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the specification filed herewith with title as listed above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file a separate verified statement averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(c).

Each person, concern or organization having any rights in the invention is listed below:


[no such person, concern or organization exists.]

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.28(b))

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the applicant, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: NEIL WEBBER
TITLE OF PERSON IF OTHER THAN OWNER: CTO
ADDRESS OF PERSON SIGNING: 12 FOREST MEJA ROUND ROCK TX 78664

SIGNATURE:  DATE: 11/30/98

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "CUSTOMIZATION AND CACHING OF GENERATED PERSONALIZED CONTENT," the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or under § 365(a) of any PCT international application listed below designating least one country other than the United States of America, and have identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application No.</u>	<u>Country</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>	<u>Priority</u> <u>Claimed</u>	<u>Cert. copy</u> <u>Attached</u>
N/A				

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Provisional Application No.</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>
N/A	

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, or under § 365(c) of any PCT international application listed below designating the United States of America, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Parent Application No.</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>	<u>Parent Patent No. (if applicable) or Status</u>
N/A		

3650507-1305050

I hereby revoke any previous Powers of Attorney and appoint

James D. Smith
Benjamin C. Huang

Reg. No. 33,036
Reg. No. 41,080

said attorney or agent being a member or associate of the firm of Brobeck, Phleger & Harrison LLP, as attorney or agent for so long as he remains with such company or firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.

Please direct all communications to:

Benjamin C. Huang
Brobeck, Phleger & Harrison LLP
301 Congress Avenue
Suite 1200
Austin, Texas 78701
Phone: (512) 477-5495

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Michael K. Makuch
Inventor's Signature: Michael K. Makuch Date: 11/30/98
City and State (or Foreign Country) of Residence: U.S.A. Citizenship: U.S.A.
Post Office and Residence Address: 12906 Esplanade St., Austin, Texas 78727
(Include number, street name, city, state and zip code)

Inventor's Full Name: Neil Webber
Inventor's Signature: Neil Webber Date: 11/30/98
City and State (or Foreign Country) of Residence: U.S.A. Citizenship: U.S.A.
Post Office and Residence Address: 12 Forest Mesa, Round Rock, Texas 78664
(Include number, street name, city, state and zip code)